



Weekly Activity Report Region 9 Office of Regional Counsel

Week of March 27-31, 2017

Upcoming Hot Issues and Important Deadlines:

Upcoming Major Public Events:

Past Week Accomplishments:

Region 9 settles action against J.R. Simplot Company for 23 FIFRA

Container/Containment violations: On March 22, 2017, Region 9 filed a Consent Agreement and Final Order resolving an administrative penalty action against J.R. Simplot Company for 23 violations of the Federal Insecticide, Fungicide, and Rodenticide Act. The violations concerned seven agricultural pesticides at five of the company's facilities located in Terra Bella, Stockton, Five Points, Colusa, and Traver, California. Allegations included selling pesticides from mislabeled bulk containers, failing to anchor or elevate pesticide storage tanks, failing to keep containment structures liquid-tight, and failing to maintain adequate holding capacity for pesticide containment pads. Simplot has already corrected the identified compliance issues and will pay a civil penalty of \$98,960 to resolve the action. Contact: Edgar Coral, ORC, 415-972-3898

Region 9 settles action against the United States Department of Navy for SDWA UIC

Violations: On March 27, 2017, Region 9 filed a Consent Agreement and Final Order resolving an administrative action against the United States Department of Navy for violations of Safe Drinking Water Act Underground Injection Control requirements. The Navy operated three large capacity cesspools at Joint Base Pearl Harbor-Hickam in Hawaii after the LCC ban went into effect on April 5, 2005. As a result of this enforcement action, the Navy closed all three non-compliant cesspools and replaced them with approved wastewater treatment systems. The CAFO requires the Navy to pay an administrative civil penalty of \$94,212. Contact: Desean Garnett, 415-972-3046.

Region 9 resolves action against public water system in Los Angeles County: On March 23, 2017, Region 9 entered into an Administrative Order on Consent under the Safe Drinking Water Act with the Land Projects Mutual Water Company, a public water system serving about 1,500 people in northern Los Angeles County. The AOC requires the company to bring the system compliance with the arsenic drinking water standard by installing two new drinking water wells by January 2019. It also requires the system to meet specific compliance milestones, report progress to Region 9 on a quarterly basis, and provide public notice to its consumers. Contact: Rich Campbell, ORC, 415-972-3870.

The City and County of Honolulu enters into AOC with EPA to develop CWA Section 404 Compliance Program: On March 24, 2017, EPA and the City and County of Honolulu entered

into an Administrative Order on Consent resolving alleged CWA section 404 violations by requiring CCH to develop and implement a comprehensive section 404 compliance program for its flood control and stream maintenance activities on the island of Oahu. In 2015, CCH used earthmoving equipment to clear vegetation and move dredged material within Manaiki Stream without obtaining a section 404 permit. Under the AOC, CCH will develop standard operating procedures, a training program, and a database to track stream projects, Attorney Client Deliberative Process (b) (5)

[REDACTED] Contact: Brett Moffatt, ORC, 415-972-3946.

Regional Counsel Travel:

Internal Personnel (b) (2)